

In re Appln of Ayala BARAK
Application No. 10/586,359
Reply and Second Preliminary Amendment
dated November 23, 2009
Response to Restriction mailed October 23, 2009

REMARKS

In response to the Official Action dated October 23, 2009, wherein the Examiner has required restriction involving an election of claims, Applicant hereby elects to prosecute the claims of Group II in the present application. Claims 95 - 124 and 129 - 133 read on the elected group. This election is made without prejudice to Applicants' right to file a divisional application directed to the non-elected claims.

Applicant expresses appreciation to Examiner Craig Ricci and SPE Brandon Fetterolf for the courtesy of a telephone interview, which was granted to Applicant's representative, Sanford T. Colb (Reg. No. 26,856) and which took place on November 4, 2009. The substance of the interview is set forth in the Interview Summary.

At the interview, a species election within Group II was discussed. The Examiner stated the following: "As to Group II, Applicant's must elect a single method by electing EACH of the following: (1) elect a single nitrogen-containing compound as recited by instant claim 95 (for example, carbamic acid as recited by instant claim 104). Additionally, it is requested that Applicant's provide both the chemical name and the chemical structure of the elected compound; (2) elect a single hypochlorite oxidant as recited by instant claim 95 (for example, lithium hypochlorite as claims 102 - 103); and (3) elect a single medium to be treated as recited by instant claims 109 - 117. Additionally, Applicant is required to identify the claims which read upon the elected species".

In response, Applicant hereby elects as follows:

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(1): As the nitrogen-containing compound in claim 95, Applicant elects ammonium carbamate, which has the chemical formula $\text{NH}_2\text{COO}^- \text{NH}_4^+$. New claims 131 and 133 specifically read on the elected species, also covered by the generic claims.

(2) As the hypochlorite oxidant in claim 95, Applicant elects sodium hypochlorite. New claims 132 and 133 read upon the elected species, along with the generic claims.

(3) As the medium to be treated, Applicant elects waste water or reclaimed waste water. Provisionally pending claim 111 and new claim 133 specifically read on the elected species, along with the generic claims.

The application includes claims 95 - 129. Claims 1 - 94 were previously cancelled.

In the present response, claims 125, 127 and 128 are withdrawn. Pending claims 95, 97 and 129 and withdrawn claim 125 are amended. Claims 96, 98, 104, 120, 121 and 126 are cancelled without prejudice. Claims 99 - 103, 105 - 119 and 122 - 124 are unchanged. New claims 130 - 133 are added.

Support for amended claims 95 and 129 is found in claim 1 of the originally filed PCT application. Additionally, support for the following recitation: "said nitrogen-containing compound being a salt containing nitrogen both in the cation portion and in the anion portion thereof" is found in original claim 1, since all of the salts recited include nitrogen both in the cation and in the anion portion of the salt. Additionally, support is found in Examples 7 - 12 and Tables 13 - 16 of the present application, since these Examples and Tables disclose salts including nitrogen both in the cation and in the anion of the salt. Withdrawn claim 125 is similarly amended.

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Claim 97 is amended to correct an error.

Support for new claims 130, 131 and 133 is found in Examples 7, 8, 9, 11 and 12, starting from page 51 line 13 of the specification, and Tables 14 - 15 on pages 62 - 63. Additionally, support for claims 131 and 133 is found in Example 10 on page 58, Table 13 on page 61 and Table 16 on page 64. Support for new claims 132 and 133 is found in instant claim 103 and in Examples 7, 9, 10, 11, starting from page 51 of the specification, Table 13 on page 61 and Table 16 on page 64. New claim 133 is also supported by instant claim 111 and by Example 11 on page 59.

Favorable consideration and allowance of the application are respectfully requested.

Respectfully submitted,

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